

REMARKS

The July 28, 2008 Office Action was based upon pending Claims 9-11, 13, 14, 16-23 and 25-31. The Examiner rejected Claims 9-11, 13, 14, 16-23 and 25-31.

Applicant would like to thank Examiner Piggush for the interview extended to Applicant's counsel of record, John R. King, on October 23, 2008. During the interview, the Examiner agreed that the amendments to Claim 9 appear to clarify the patentably distinguishing features of the invention. Accordingly, Applicant has also amended Claim 16 along the lines discussed in the interview. In addition, Applicant has amended Claim 28 and canceled Claims 17, 18, and 27. Reconsideration of the pending claims, as amended, is therefore respectfully requested.

I. Claim Rejections

The Examiner rejected Claims 9-11, 13, 14, 16, 18-23, 25-28, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,246,214 issued to Oglesbee ("the Oglesbee patent") in view of U.S. Patent No. 5,621,299 issued to Krall ("the Krall patent"), U.S. Patent No. 5,739,596 issued to Takizawa et al. ("the Takizawa patent"), and U.S. Publication No. 2002/0021164 to Fugate, et al. ("the Fugate publication").

In addition, the Examiner rejected Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over the Oglesbee patent in view of the Krall patent, the Takizawa patent, the Fugate publication, and U.S. Patent No. 6,170,062 issued to Henrie ("the Henrie patent").

The Examiner further rejected Claim 29 under 35 U.S.C. § 103(a) as being unpatentable over the Oglesbee patent in view of the Krall patent, the Takizawa patent, the Fugate publication, U.S. Patent No. 6,418,075 issued to Shimano et al. ("the Shimano patent"), and U.S. Patent No. 5,729,120 issued to Stich et al. ("the Stich patent").

II. Rejection of Claims 9-11, 13, 14, 16-23, and 25-31 under 35 U.S.C. § 103(a)

As described above, the Examiner rejected Claims 9-11, 13, 14, 16-23, and 25-31 under 35 U.S.C. § 103(a) as being unpatentable over combinations of U.S. patents and publication. In view of the above amendments and the following discussion, Applicant respectfully traverses these rejections.

By this amendment, Applicant has canceled Claims 17, 18, and 27 without prejudice or disclaimer. Accordingly, Applicant respectfully requests the Examiner to withdraw objection under 35 U.S.C. § 103(a) of Claims 17, 18, and 27.

A. Independent Claim 9

Applicant respectfully submits that the amended Claim 9 is patentably distinguished over the Oglesbee patent, the Krall patent, the Takizawa patent, and the Fugate publication. In particular, none of the cited references appears to disclose using a current sensing circuit to measure current provided by a USB interface, but not by an AC adapter, to reduce a charging current provided to an internal battery in response to an increase in load current by varying an adjustable voltage at a control terminal of a regulating transistor connected in series with the internal battery when the measured current from the USB interface exceeds a predefined current threshold.

Figures 3B and 4B of the Krall patent appear to disclose charging currents that decrease over time, but the decreases in the charging currents are not made in response to an increase in load current. For example, the charging current in Figure 3B decreases as a battery voltage shown in Figure 3C increases while the charging current in Figure 4B decreases after a charging voltage shown in Figure 4A reaches a maximum voltage at time t2.

Accordingly, as discussed in the interview, Applicant asserts that Claim 9 is not obvious in view of the Oglesbee patent, the Krall patent, the Takizawa patent, and the Fugate publication. Applicant therefore respectfully submits that Claim 9 is patentably distinguished over the cited references and Applicant respectfully requests allowance of Claim 9.

B. Dependent Claims 10, 11, 13, 14, 25, 26, and 28

Claims 10, 11, 13, 14, 25, 26, and 28, which depend from Claim 9, are believed to be patentable for the same reasons articulated above with respect to Claim 9, and because of the additional features recited therein.

C. Independent Claim 16

Although Claim 16 has different language than Claim 9, Claim 16 is believed to be patentable for similar reasons (where applicable), and because of the different features recited therein.

D. Dependent Claims 19-23 and 29-31

Claims 19-23 and 29-31, which depend from Claim 16, are believed to be patentable for the same reasons articulated above with respect to Claim 16, and because of the additional features recited therein.

IV. No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application.

The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution.

Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

V. Conclusion

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested.

Application No.: 10/760,126
Serial No.: January 16, 2004

If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved. Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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